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UNITED STATES PATENT AND TRADEMARK OFFICE

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10/052,612	01/17/2002	Ravikumar Pisupati	100200239-1	3020

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EXAMINER
AVELLINO, JOSEPH E

ART UNIT	PAPER NUMBER
2143	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *02 January 2007*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-6,8-29 and 31* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-6,8-29 and 31* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *17 January 2002* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-6, 8-29, and 31 are presented for examination; claims 1, 11, and 26

independent.

Claim Rejections - 35 USC § 103

2. -   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

      Claims 1, 4-6, 11, 13-16, 26, 27, 29, and 31 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Wright et al. (USPN 6,973,589) (hereinafter Wright) in view

of Edson (USPN 6,526,581).

3.   Referring to claim 1, Wright discloses a computer network 100 for providing

services (i.e. operation of the power system 107; e.g. abstract), comprising:

      a computing elements (i.e. power system 107) each supports one or more

services (col. 5, line 61 to col. 6, line 7);

      a mail server (i.e. electronic mailbox 220) for receiving and routing email (col. 6,

lines 44-57);

      a redirector (i.e. intelligent electronic device 105), communicatively connected to

each of said computing elements (i.e. in the power system 107), configured to receive

email from an email server (i.e. access the mailbox to receive incoming email) (col. 6,

lines 44-57), wherein each email contains a command or data for a specific said service

(i.e. monitor control and/or protect the equipment) (col. 7, lines 19-23), with or without being addressed to a specific computing element (an inherent feature is that the email must identify the specific element to be acted upon, otherwise the IED would never know which element to act upon), and wherein said redirector is configured to selectively match an available computing element with a specific service request (i.e. command) of an incoming email and forward at least a portion of the email so as to deliver said command to that specific device (an inherent feature is that since the email indicates what command to execute, the IED forwards at least a portion of the email to the element since the IED sends the command to the element) such that said redirector serves as an email proxy for the computing elements (i.e. the IED interprets the email for the elements, and therefore acts on the elements behalf as a proxy) (e.g. abstract; Figure 4; col. 7, line 50 to col. 8, line 18);

wherein said electronic services are controlled by email messages routed by said redirector among said plurality of computing elements (i.e. the email contains commands to be executed on the power system elements (e.g. abstract).

Wright does not explicitly state that there can be multiple computing elements (i.e. multiple power systems 107) connected to the IED. In analogous art, Edson discloses another multi service network communications system which discloses receiving a message from an external network, and executing at least one command on a device on an internal network, wherein the internal network includes a plurality of computing devices (Figure 1; col. 15, lines 29-48). It would have been obvious to one of ordinary skill in the art to combine the teaching of Edson with Wright in order to allow

the user to connect to multiple devices on a home network and remotely monitor and
control the devices when away from home as supported by Edson (col. 15, lines 29-48).

4.   Referring to claim 4, Wright discloses said redirector comprises a service handler
for extracting an access function from incoming email messages (i.e. "receives the
command") (Figure 4, ref. 405; col. 7, line 50 to col. 8, line 18); and

said service handler complies with said extracted access function by transmitting
a command to the element (i.e. "process the command") (Figure 4, ref. 420; col. 7, line
50 to col. 8, line 18).

5.   Referring to claim 5, Wright discloses the commands comprise a service (i.e. a
command is construed as a service, since the command is performing a service, such
as monitoring, on the element) (e.g. abstract).

6.   Referring to claim 6, Wright discloses the command comprises a specified
location for where a service can be accessed (i.e. following the rationale behind the
modification of Wright above, an inherent feature would be that the email/command
would require the user to identify which computing element the command is to be
enacted upon) (col. 7, lines 50-67).

7.   Claims 11, and 13-16, 22, 23, are rejected for similar reasons as stated above.

8.   Referring to claim 26, Wright discloses a computing element (i.e. IED) which

comprises computing resources for supporting one or more electronic services where

the services can be controlled by email (i.e. control of a power system) (e.g. abstract);

and

a service handler for automatically obtaining an electronic service using an

incoming email and installing that service on the computing element corresponding to

the service handler (i.e. receiving operating code) (col. 7, lines 18-40).

Wright does not explicitly state multiple IED's (i.e. computing elements),

however it has been held obvious to duplicate elements for multiple effects. See St.

Regis Paper Co. v. Bemis Co., 193 USPQ 8 (7th Cir. 1977). By this rationale, one of

ordinary skill in the art would find it obvious to link up multiple IED's in order to

command a plurality of different power systems, thereby allowing various IED's to

command systems in possibly geographically distinct locations.

9.   Referring to claim 27, Wright discloses the service handler exracts said service

from the email (i.e. "receive information...take appropriate action in response to such

information") (col. 7, lines 18-40).

10.   Referring to claim 29, Wright discloses a redirector to serve as an email proxy,

wherein the services are controlled by email messages routed by said redirector (i.e.

this is an inherent feature, since the messages routed the IED via the electronic mailbox

are those commands which are executed.

11.   Claim 31 is rejected for similar reasons as stated above.

       Claims 2, 3, 8, 9, 12, 17, 18, 21-25 and 28 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Wright in view of Edson in view of Motoyama (USPN

5,819,110).

12.   Referring to claim 2, Wright-Edson discloses the invention substantively as

described in claim 1. Wright-Edson does not specifically disclose the computing

elements have a service handler configured to extract the service function from the

email message. In analogous art, Motoyama discloses another computer network for

providing services comprising each of the computing elements has a service handler

(i.e. parsing process) (Figure 7; col. 7, line 62 to col. 8, line 10); and

       said service handler on a computing element extracts an access function (i.e.

action) from an incoming email message and complies with said extracted access

function (Figure 6; col. 7, line 62 to col. 8, line 10).

       It would have been obvious to one of ordinary skill in the art to combine the

teaching of Motoyama with Wright-Edson in order to allow the remote user of Wright

(i.e. the command requestor (col. 7, line 61) the ability to know the machine's

capabilities, thereby ensuring that the user is fully aware what commands the devices

can and cannot, or will not, execute, thereby increasing customer interaction.

13.   Referring to claim 3, Wright-Edson discloses the invention substantively as described in claim 1. Wright-Edson does not specifically disclose the redirector routes email messages, rather interprets them. In analogous art, Motoyama discloses another computer network for providing services comprising a mail router (i.e. mail server) for routing email messages (col. 7, lines 27-44). It would have been obvious to one of ordinary skill in the art to combine the teaching of Motoyama with Wright-Edson in order to allow the remote user of Wright (i.e. the command requestor (col. 7, line 61) the ability to know the machine's capabilities, thereby ensuring that the user is fully aware what commands the devices can and cannot, or will not, execute, thereby increasing customer interaction.

14.   Referring to claim 8, Wright-Edson discloses the invention substantively as described in claim 1. Wright-Edson does not specifically disclose using a firewall. In analogous art, Motoyama discloses another computer network for providing services comprising a firewall 14 (Figure 1) through which email messages are received, said redirector being protected within said firewall (Figure 1; col. 7, lines 7-45). Motoyama does not disclose that the redirector and email server are protected via a common firewall, however it is well known that firewalls can protect computing entities from a wide area network. BY this rationale, "Official Notice" is taken that both the concept and advantages of providing for a firewall to protect the email processing center is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to modify the teaching of Motoyama and Wright-Edson in order to allow the email

processing center 100 the ability to ward off attacks and viruses from hackers. It would have been obvious to one of ordinary skill in the art to combine the teaching of Motoyama with Wright-Edson in order to allow the remote user of Wright (i.e. the command requestor (col. 7, line 61) the ability to know the machine's capabilities, thereby ensuring that the user is fully aware what commands the devices can and cannot, or will not, execute, thereby increasing customer interaction.

15.   Referring to claim 9, Wright discloses the invention substantively as described in claim 1. Wright further discloses various web clients on the local area network (Figure 1, ref. 110). As shown above, a LAN can be protected from the WAN via a firewall. Therefore one of ordinary skill in the art would find it obvious that the web client is within the firewall communiation with the redirector to obtain access to said services since it would ward off attacks and viruses form hackers.

16.   Claims 12, 17, 18, 21-25, and 28 are rejected for similar reasons as stated above. Furthermore Motoyama discloses sending a response email message following compliance with said extracted access function (col. 8, lines 1-10).

Claims 10, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wright in view of Edson in view of Motoyama in view of Weber et al. (USPN 6,480,901) (hereinafter Weber).

17.   Referring to claim 10, Wright in view of Edson in view of Motoyama discloses the invention substantively as described in claim 9. Wright in view of Edson in view of Motoyama does not specifically disclose generating web pages related to the services of the web client. In analogous art, Weber disclose the proxy server generating web pages related to the services for the client (Figure 7; col. 14, lines 23-41). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Weber with Motoyama, Wright, and Edson in order to allow the email clients of Motoyama to address the proxy server system of Weber in order to be able to incorporate a plurality of different devices utilizing different protocols to the network without requiring the user know beforehand what the specific form for the protocol and device in question, thereby providing a common platform for management as well as only one point wherein updates are required, thereby reducing complexity of the overall system.

18.   Claims 19-20, and 22-29 are rejected for similar reasons as stated above.

Response to Arguments

19.   Applicant's arguments dated January 2, 2007 have been fully considered but are not persuasive.

20.   In the remarks, Applicant argues, in substance, that (1) neither Wright nor Edson disclose the claimed plurality of computing elements for supporting one or more

electronic services, (2) Wright and Edson fail to disclose the claimed redirector separate

from the email server, (3) Wright and Edson fail to disclose the redirector cannot receive

email from the email server, (4) Wright and Edson fail to disclose a redirector that is

designed to process email that is and is not destined to the computing element, (5)

Wright and Edson fail to disclose the claimed service handler on the computing

element.

21.   As to point (1) Applicant is interpreting limitations into the claims. As the claim

stands, the computing elements merely must support an electronic service. As such,

the "monitoring" functionalities as described by Applicant clearly fall within an "electronic

service" since they provide a service (i.e. check the status of a microwave oven...and

enter operational commands if desired...send alarm reports, etc.). This qualifies as an

electronic service. Furthermore, Applicant's recitation of an example provided in the

specification (i.e. computer systems, server systems, etc.) is merely an example and is

not considered a definition of what is meant by a "computing element". Furthermore the

limitation is merely a statement of intended use (i.e. "*for* supporting one or more

electronic services"). As such a recitation of the intended use of the claimed invention

must result in a structural difference between the claimed invention and the prior art in

order to patentably distinguish the claimed invention from the prior art. If the prior art

structure is capable of performing the intended use, then it meets the claim. As it

stands, the computing elements (i.e. the home appliances) provide an electronic

service, and therefore this limitation holds no patentable weight. By this rationale, the

rejection is maintained.

1.   As to point (2), Applicant's must be made aware that an email server is inherently

included in the system of Wright and Edson. Email is never sent directly between two

individuals, rather through an email server. The basic functionality of an email

transmission is that a sender sends an email to a sender's email server. This email

server will interpret the email according to various protocols. The server will then send

it to the recipient's mailbox (i.e. the IED's mailbox of Wright), which will then open it,

read it, execute it, etc. In the combination of Wright and Edson. The email server is *not*

the IED device. For simplicity sake, this was removed because it is clearly understood.

The email server does not provide any extraordinary functionality, other than routing the

email from the sender to the redirector (i.e. the IED device of Wright). Applicant's

should be aware that when reviewing a reference the applicants should remember that

not only the specific teachings of a reference but also reasonable inferences which the

artisan would have logically drawn therefrom and may be properly evaluated in

formulating a rejection. In re Preda, 401 F.2d 825, 159 USPQ (CCPA1968) and In re

Shepard, 319 F.2d 194, 138 USPQ 148 (CCPA 1963). Skill in the art is presumed. In

re Sovish, 769 F.2d 738, 226 USPQ 771 (Fed. Cir. 1985). Furthermore, artisans must

be presumed to know something about the art apart from what the references disclose.

IN re Jacoby, 309 F.2d 513, 135 USPQ 317 (CCPA 1962). One of ordinary skill in the

art would have concluded that there was an email server distinct from the IED of Wright for which to send emails. By this rationale, the rejection is maintained.

2.   As to point (3), the response to point (2) clearly shows that the IED of Wright (i.e. the claimed redirector) clearly receives email from an email server. By this rationale, the rejection is maintained.

3.   As to point (4), Applicant is importing limitations from the specification into the claim. A broad interpretation of the limitation is that one or the other must be done, since the claim is written in the alternative (i.e. with *or* without). As such, Wright is capable of forwarding a command to the device when the email is addressed to the computing device (see rejections above). By this rationale, the rejection is maintained.

4.   As to point (5), Applicant must be aware that the IED of Wright can be construed as a computing element since it also provides a service to the user. As such a service handler residing on the IED which can install services clearly meets the limitation. Furthermore the claim does not specifically state that the computing elements and the redirector must be separate (i.e. even if the redirector and the computing elements are one in the same, they can be communicatively connected, such that the elements can communicate with one another). By this rationale, the rejection is maintained.

5.   Any and all arguments not specifically addressed, can be refuted by points (1)-(5)

above.

Conclusion

22.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

23.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

24.   Applicant has failed to seasonably challenge the Examiner's assertions of well

known subject matter in the previous Office action(s) pursuant to the requirements set

forth under MPEP §2144.03. A "seasonable challenge" is an explicit demand for

evidence set forth by Applicant in the next response. Accordingly, the claim limitations

the Examiner considered as "well known" in the first Office action are now established as admitted prior art of record for the course of the prosecution. See In re Chevenard, 139 F.2d 71, 60 USPQ 239 (CCPA 1943).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph E. Avellino, Examiner
January 9, 2007

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